

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEBORAH BRANGMAN,	:	
Plaintiff,	:	CIVIL ACTION
	:	No. 12-351
v.	:	
	:	
ASTRAZENECA, LP, ASTRAZENECA	:	
PHARMACEUTICALS, LP and	:	
METROPOLITAN LIFE INS. CO.	:	
PARTNERS, LP, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this __19th__ day of June, 2013, it is **ORDERED** that AstraZeneca's Motion for Summary Judgment (ECF No. 37) is **GRANTED** in part and **DENIED** in part as follows:

- Defendant's motion for summary judgment on Plaintiff's ADA claim (Count V) is **GRANTED**;
- Defendant's motion for summary judgment on Plaintiff's Delaware Persons with Disabilities Employment Protection Act ("DPDEPA") claim (Count VI) is **GRANTED**;
- Defendant's motion for summary judgment on Plaintiff's ADA claim (Count VII) is **GRANTED**;
- Defendant's motion for summary judgment on Plaintiff's DPDEPA claim retaliation claim (Count VIII) is **GRANTED**;
- Defendant's motion for summary judgment on Plaintiff's ERISA claim (Count X) is **GRANTED**;
- Defendant's motion for summary judgment on Plaintiff's Title VII discrimination claim on the basis of race and gender (Count I) is **DENIED**;
- Defendant's motion for summary judgment on Plaintiff's Delaware Discrimination Employment Act ("DDEA") claim on the basis of race and gender (Count II) is **DENIED**;
- Defendant's motion for summary judgment on Plaintiff's Delaware Whistleblowers' Protection Act claim (Count IX) is **DENIED**;

- Defendant's motion for summary judgment on Plaintiff's DDEA (Counts II and IV) on the basis that these claims cannot be brought concurrently with Title VII claims is **DENIED**; and
- Defendant's motions for summary judgment on Plaintiff's Title VII and DDEA retaliation claims (Counts III and IV) are **GRANTED** in part and **DENIED** in part as follows:
 - **GRANTED** as to Plaintiff's claim that she was retaliated against under Title VII for whistleblowing;
 - **GRANTED** as to Plaintiff's claim that Defendant retaliated against her for filing an EEOC charge by terminating her and interfering with MetLife's long-term disability decision;
 - **DENIED** as to Plaintiff's claim that Defendant retaliated against her by denying her short-term disability extension after she filed an EEOC charge; and
 - **DENIED** as to Plaintiff's claim that Defendant retaliated against her for filing an internal complaint with Defendant in August 2009.

Therefore, the following claims survive summary judgment:

- Count I: Discrimination on the basis of race and gender under Title VII;
- Count II: Discrimination on the basis of race and gender under the DDEA;
- Counts III and IV: Retaliation in Violation of Title VII and DDEA for
 - filing an internal complaint with Defendant on August 2009; and
 - for denying Plaintiff's short-term disability extension after she filed an EEOC charge; and
- Count IX: Violation of the Delaware Whistleblowers' Protection Act.

s/Anita B. Brody

ANITA B. BRODY, J.

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to: